

STAFF REPORT

Meeting

Date: April 27, 2022

To: Chairperson and Members of the Planning Commission

From: Community Development Department

Subject: **ITEM A: APPOINTMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ADVISORY COMMITTEE MEMBER**

(Planner: David Feinstein, 707-428-7448, dfeinstein@fairfield.ca.gov)

BACKGROUND INFORMATION

The federal Community Development Block Grant (CDBG) program provides annual grants to cities for a broad range of activities that preserve and develop viable urban communities. The program's principal beneficiaries are low-income households. The goals of the program are to provide decent, safe, and sanitary housing, ensure suitable living environments, and expand economic opportunities.

The City of Fairfield has established a formal application process to disburse CDBG funds to eligible community activities. Grant applications are reviewed and ranked by the CDBG Advisory Committee. The application process and the role of the CDBG Advisory Committee are defined in the Citizen Participation Plan, attached for review.

The CDBG Advisory Committee consists of seven members and two alternate members. The term of the Committee members will be as follows:

Two-Year Term: The Planning Commission and the Youth Commission will each appoint one member for a two-year term.

Four-Year Term: Five "Public Interest" members will have four-year terms, selected from applications submitted to the City Clerk, selected by two City Council members, and appointed by the mayor.

One-Year Term: Two alternate Public Interest members.

The Committee typically meets multiple times during the first third of the year to review applications and make recommendations.

RECOMMENDATION:

Appoint a member of the Planning Commission and an alternate to the CDBG Advisory Committee for a two-year term, ending April 27, 2024. Note that Commissioner Werblin currently serves as a Public Interest Member and cannot fill the Planning Commissioner Role.

Attachments:

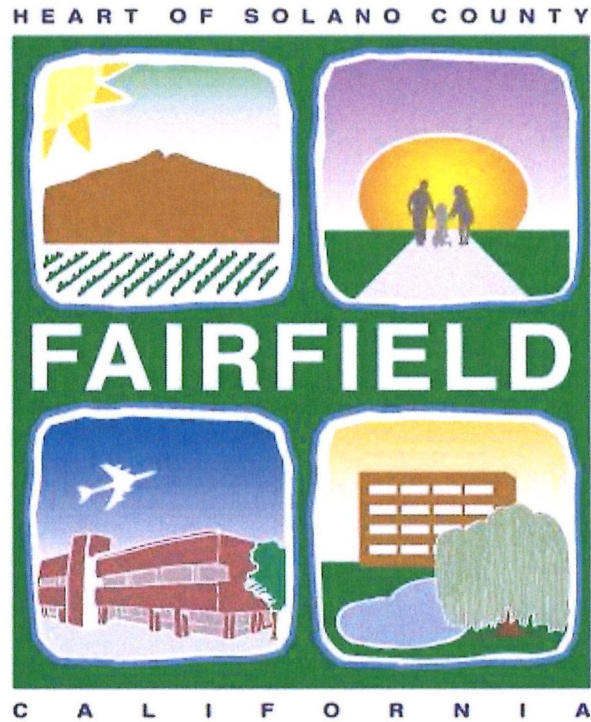
1. Citizen Participation Plan, with detail on CDBG Advisory Committee

City of Fairfield
Community Development Department

Prepared by: DF

Reviewed by: MS

City of Fairfield

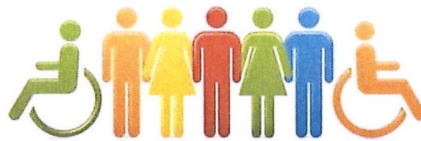


CITIZEN PARTICIPATION PLAN

City Manager's Office
1000 Webster Street
Fairfield, CA 94533

Amended by Resolution 2020-91 on June 9, 2020





In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Fairfield to offer documents in a manner that is readily accessible to everyone, including individuals with disabilities and Limited English Proficiency. If you are a person with a disability and require information or materials in an appropriate alternative format, or if you require any other accommodation or language assistance, please contact Sullina D. Sanchez by telephone at (707) 428-7729 or by email at ssanchez@fairfield.ca.gov. Hearing impaired individuals may call the California Relay Service at (800) 735-2929 or TDD (707) 399-5623 for assistance.

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INTRODUCTION

Title I of the Housing and Community Development Act of 1974 authorized Community Development Block Grant entitlement funds to qualifying cities. Subsequently, Title I of the Housing and Community Development Act of 1977 and the Cranston-Gonzalez National Affordable Housing Act of 1990 have amended this act. The overall goal of the community planning and development programs authorized under Title I is to develop and maintain viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities primarily for low- and moderate- income persons.

Since 1975, the City of Fairfield has been classified as an entitlement city, which is defined as a principal city within a Metropolitan Statistical Area (MSAs) with a population over 50,000. HUD determines the amount of each annual entitlement grant by a statutory dual formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relation to other metropolitan areas.

By implementation of this Citizen Participation Plan, the City of Fairfield intends to encourage and facilitate the participation of Fairfield residents in the formation of the Community Development Block Grant (CDBG) priorities, strategies, and funding allocations in the Consolidated Plan and the Annual Action Plan. Community input is also encouraged for substantial amendments thereto and to review the Consolidated Annual Performance and Evaluation Report.

USE OF THE CITIZEN PARTICIPATION PLAN

The City of Fairfield must implement a viable Citizen Participation Plan (CPP) in order to receive annual funding. This plan will identify the required activities to effectively administer the CDBG program. It will also provide guidance to the methods and practices used to develop and implement such activities. The CPP provides for and encourages citizen participation in developing and amending its Consolidated Plan, the Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report.

Particular emphasis is placed on ensuring participation by low- and moderate-income persons who reside in low-income areas where funds are proposed to be used and those receiving federal rental assistance. The plan also provides for participation by minorities, non-English speaking persons, and persons with disabilities. In addition, this plan outlines the City's policies regarding written complaints, grievances, and displacement.

The Citizen Participation Plan sets forth the City of Fairfield's policies and procedures for citizen participation. This plan addresses the availability of materials and documents. It also provides adequate timelines for public review and comment. The following activities must be conducted before the City adopts any substantial amendment to the Citizen Participation Plan:

- A Public Notice
- At least one Public Hearing
- A 30-day Public Comment Period

All comments received in writing or verbally will be considered when related to the Citizen Participation Plan. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

The Citizen Participation Plan will be in effect from July 1, 2017 through June 30, 2022.

CITIZEN PARTICIPATION PLAN AVAILABILITY

As required by law, the City of Fairfield will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. The City will also provide reasonable public access to records about any uses of these funds during the previous five years. Also, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds (such as City Council meetings, Planning Commission meetings, and other City committee and commission meetings, etc.). The materials are available at no cost and can be obtained at the City of Fairfield, 1000 Webster Street, Fairfield, CA 94533, and is accessible at the City's website at www.fairfield.ca.gov.

*DEFINITIONS***Consolidated Plan**

As an entitlement city recipient of CDBG funding, the City of Fairfield is required by HUD to develop a Consolidated Plan that evaluates the needs of our low- and moderate- income residents. This assessment includes a review of Fairfield's housing, homeless, and community development needs, provides a housing market analysis, and creates a strategy to address the needs identified. In Fairfield, this plan is revised every five (5) years. The current Consolidated Plan is in effect from July 1, 2017 to June 30, 2022.

Annual Action Plan

The Annual Action Plan (AAP), which is submitted to HUD annually, details the expenditure of the annual CDBG entitlement grant and ensures that the funds are directed towards activities addressed in the Consolidated Plan. HUD requires the City to maintain a significant correlation between the goals identified in the Consolidated Plan with the use of CDBG funds. In Fairfield, this plan is revised every year and is on one (1) year funding cycles. The CDBG Advisory Committee evaluates and recommends activities to the City Council. However, the City Council has the right to approve activities outside the recommendations of the CDBG Advisory Committee.

Consolidated Annual Performance and Evaluation Report

The Consolidated Annual Performance and Evaluation Report (CAPER) report is a self-assessment of the implementation of the Consolidated Plan and the Annual Action Plan. Activity outcomes and outputs are reported showing the effectiveness of the CDBG funds. This report includes details of the number and demographics of the community served.

Analysis of Impediments/Assessment of Fair Housing and Affirmatively Furthering Fair Housing

As an entitlement city recipient of CDBG funding, the City of Fairfield is required by HUD to develop an Assessment of Fair Housing (AFH) that evaluates fair housing issues, significant contributing factors, and goals. To develop a successful Affirmatively Furthering Fair Housing (AFFH) strategy, it is central to assess the elements and factors that cause, increase, contribute to, maintain, or perpetuate segregation, racially or ethnically concentrated areas of poverty, and significant disparities in access to opportunity, and disproportionate housing needs. The City completed an Analysis of Impediments to Fair Housing Choice in December 2019.

Technical assistance will be provided to group representatives of persons of low- and moderate-income that request such assistance in commenting on the AFH and in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan, with the level and type of assistance determined by the City. The City will provide a timely, substantive written response to every written resident complaint, within 15 working days, where practicable. HUD-accepted AFH, including revisions to the will be available at the following locations:

- City Clerk's Office, City, 1000 Webster Street, 4th Floor, Fairfield, CA
- City Hall 1st Floor Lobby, 1000 Webster Street, Fairfield, CA

- Community Development Dept., 1000 Webster Street, 2nd Floor, Fairfield, CA
- Fairfield Civic Center Library, 1150 Kentucky Street, Fairfield, CA
- Fairfield Housing Authority, 823-B Jefferson Street, Fairfield, CA
- Fairfield Transportation Center, 2000 Cadenasso Drive, Fairfield, CA
- City of Fairfield Website: www.fairfield.ca.gov

RESPONSIBILITIES AND OBLIGATIONS

This section offers guidance to the various stakeholders in the activities required to develop and implement the Consolidated Plan, the Annual Action Plan, and the Assessment of Fair Housing and to review the Consolidated Annual Performance and Evaluation Report. These guidelines are in place to be inclusive and protect the fairness and integrity of the Community Development Block Grant program. They are not intended in any manner, to exclude or limit access to the process.

ASSIGNMENTS

This plan describes the roles of the Fairfield City Council, CDBG Advisory Committee and Citizens in developing and evaluating progress toward implementation of the Consolidated Plan.

The **Fairfield City Council** serves as the body of elected community-wide representatives responsible for addressing policy issues related to the Consolidated Plan. The City Council gives direction to the CDBG Staff as to how to proceed in assessing Fairfield's housing, homeless, and community development needs, providing a housing market analysis, and a strategy to address the needs identified. It must approve the Consolidated Plan and Annual Action Plan before submission to HUD. It must comment and approve revisions to the Citizen Participation Plan and amendments to the Consolidated Plan.

The City Council will oversee the **Community Development Block Grant Advisory Committee** in the development of the Consolidated Plan and the Annual Action Plan. The CDBG Advisory Committee will review the development of the Consolidated Plan; apply strategies developed in the Consolidated Plan, and make recommendations to the City Council for the Annual Action Plan; annually review the Consolidated Annual Performance and Evaluation Report; and review and comment on the development of the Citizen Participation Plan.

The **CDBG Administrator and Staff** will facilitate the process by assisting the City Council and the CDBG Advisory Committee to meet the City's obligations and responsibilities as an entitlement city of the U.S. Department of Housing and Urban Development Community Development Block Grant program. The City Manager's Office manages the overall CDBG program and assigns the CDBG Administrator to coordinate the CDBG program and administration.

Interested **Fairfield Citizens** are encouraged to participate in the process via Public Input. The City and HUD recognize community input as an important element in identifying high priority needs in the community and ensuring that CDBG funds are used for activities that address those issues and concerns.

Additional information may be obtained from:

Sullina D. Sanchez

Housing Finance Analyst/CDBG Administrator
City of Fairfield | Housing Services Dept.
1000 Webster Street, Fairfield, CA 94533
707-428-7729 | ssanchez@fairfield.ca.gov

PUBLIC MEETINGS

All meetings related to the CDBG program are considered public meetings and are subject to the requirements of the Brown Act which includes, but is not limited to:

- Public allowed to comment on items under consideration
- Non-discriminatory facilities, public must not pay to attend
- No secret ballots, all votes cast in public
- Materials provided to the board must be made available to the public

Meetings will be published in accordance with the CDBG Community Outreach Plan and will include the following:

- Description of the activity
- Which entity is conducting the meeting
- Amount and source of funding
- Where and how information may be obtained
- The date, time and location of the public meetings
- Timeframe for the public to submit public comments
- How and what format comments will be accepted
- Contact person for additional information

Times and Locations

Meetings will be held at times and locations convenient to potential and actual beneficiaries of CDBG funding. Meetings will be publicized in advanced notice through Public Notices with sufficient information published about the subject of the hearings. Meetings will be held in facilities accessible to persons with mobility impairments.

Reasonable Accommodation

Reasonable accommodations will be made for persons with disabilities at all meeting locations, when requested at least forty-eight (48) hours prior to the scheduled meeting date. Materials provided at the meeting will be available in a format accessible to persons with disabilities and Limited English Proficiency, upon request.

Translations and Interpretation Services**Anticipated Significant Turn-Out**

The City will provide translation services when it can be reasonably expected that a significant number of non-English speaking persons will participate in public meetings.

Individual Request

The City will provide translation services when a request is made at least forty-eight (48) hours prior to the scheduled meeting date.

Meeting Agendas

The timing for posting agendas is determined by the type of meeting:

- Regular Meeting: A brief description of items posted 72 hours before the meeting
- Special Meeting: 24-hour notice to board and media with brief description
- Emergency Meeting: One-hour notice except in cases of a dire emergency

Meeting agendas will be posted at the following locations

- City Clerk's Office, City, 1000 Webster Street, 4th Floor, Fairfield, CA
- City Hall 1st Floor Lobby, 1000 Webster Street, Fairfield, CA
- Community Development Dept., 1000 Webster Street, 2nd Floor, Fairfield, CA

- Fairfield Civic Center Library, 1150 Kentucky Street, Fairfield, CA
- Fairfield Housing Authority, 823-B Jefferson Street, Fairfield, CA
- Fairfield Transportation Center, 2000 Cadenasso Drive, Fairfield, CA
- City of Fairfield Website: www.fairfield.ca.gov

PUBLIC NOTICES

Public Notices will be published once as a legal advertisement in the local newspaper in English, Spanish and Tagalog. When published, the notice will be posted in the 1st Floor Lobby of City Hall, Fairfield, 1000 Webster Street, Fairfield, CA 94533. Public Notices may also be posted on the City of Fairfield's website, on the local access television station, and as a direct mailing to interested citizens, upon request. Included in the Public Notice will be language that informs the public that reasonable accommodations and language services are available upon request and that meeting locations are accessible to persons with disabilities, and that hearing impaired individuals may call the California Relay Service at (800) 735-2929 or TDD (707) 399-5623 for assistance.

Documents that require a Public Comment Period will be available for review at the following locations:

- City Clerk's Office, City, 1000 Webster Street, 4th Floor, Fairfield, CA
- City Hall 1st Floor Lobby, 1000 Webster Street, Fairfield, CA
- Community Development Dept., 1000 Webster Street, 2nd Floor, Fairfield, CA
- Fairfield Civic Center Library, 1150 Kentucky Street, Fairfield, CA
- Fairfield Housing Authority, 823-B Jefferson Street, Fairfield, CA
- Fairfield Transportation Center, 2000 Cadenasso Drive, Fairfield, CA
- City of Fairfield Website: www.fairfield.ca.gov

COMMUNITY OUTREACH PLAN

Fairfield's total population is 116,266 and is located in one of the five most racially and culturally diverse counties in the nation. The median income of Fairfield residents is higher than the state average, Fairfield AMI \$75,292 vs. California AMI \$67,169. In 2019, the City conducted an extensive analysis to determine the demographic profile of Fairfield. The analysis included an assessment of the population's primary language and revealed 20% speak Spanish and 6.3% speak Tagalog.

A Programmatic Self-Evaluation assessed the level of accessibility for individuals with disabilities, and provided methods the City can implement to ensure equal access and opportunity for all Fairfield residents, no matter their physical and/or language limitations. Based on these analyses, the City has created a comprehensive Community Outreach Plan to ensure equal access to all residents who may be eligible for the City's federally funded programs, including Community Development Block Grant funds. The strategy for reaching all residents, including those with various impediments, such as physical disability and limited-English-proficiency is outlined below.

In order to provide for and encourage citizens to participate in the development of Affirmative Fair Housing and the Consolidated Plan, CDBG staff maintains a comprehensive database that includes stakeholder contact information for the following: Local Continuum of Care, Business Representatives, Community Stakeholders, Nonprofit Organizations, Faith-Based Organizations, Housing Authority, Local Government including Health & Social Services, and agencies that are specifically affiliated with or primarily serve persons with: Disabilities, Minorities, Limited English Proficiency, Veterans, Mental Health, Youth, Homeless, Domestic Violence, Addiction, and other Organizations and Service Providers. Citizens, community stakeholders, and representatives may request to be added to this list in order to receive CDBG notifications.

MARKETING AND OUTREACH ACTIVITIES

The City will use a combination of marketing and outreach activities, both general and specific to inform and solicit Public Input from the community. Specific marketing strategies include, but are not limited to:

- Public Notice:
 - A published legal advertisement/notice in at least one newspaper of general circulation serving Fairfield residents, published in English, Spanish, and Tagalog
 - A published legal advertisement/notice in a Spanish and Tagalog publication of general circulation serving Fairfield residents
- Formal Press Release – distributed by the City's Communications Division to media agencies
- Notices posted at City Hall, Fairfield Library, and Fairfield Transit Center in English, Spanish, and Tagalog
- Announcements and/or notices published utilizing the City's various social media tools, such as Facebook, Instagram, and NextDoor in English, Spanish, and Tagalog
- Publication on the City's Website: www.fairfield.ca.gov
- Email Announcements to those on the CDBG Interest List

General marketing strategies include, but are not limited to:

- Attend various community events to solicit input from residents regarding funding priorities.
- Announce the new CDBG funding cycle at a Public, Community, or City Council Meetings.
- Advertise in related community bulletin boards.
- Encourage the participation of local and regional institutions, Continuums of Care, and other organizations in the process of developing and implementing the Assessment of Fair Housing and the Consolidated Plan.
- Encourage the participation of residents of assisted housing developments (including resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the Assessment of Fair Housing (AFH) and Consolidated Plan, along with other low-income residents of targeted revitalization areas in which the developments are located. Provide information to the public housing agency about the AFH strategy and Consolidated Plan activities related to its developments and surrounding communities so that the public housing agency can make this information available at the annual public hearing(s) required for the Public Housing Authority Plan.
- Explore alternative ways for public involvement and ways to measure efforts that encourage citizen participation in communities, and the review of program performance.
- Provide the HUD-provided data and any other supplemental information incorporated into the AFH available to residents, public agencies, and other interested parties as soon as feasible after the start of the public participation process.
- Promote the activities of the CDBG program whenever possible. This includes the local newspaper and other media that highlight the contribution and success of the program.
- The City will endeavor to directly notify interested parties of scheduled public hearings by utilizing the CDBG Interest List, maintained by the CDBG staff.

Special Accommodations:

The City will make every effort to ensure that all persons are able to participate in hearings. Non-English-speaking persons or persons with hearing impairments can be provided an interpreter at public hearings at no cost, if a request is made at least forty-eight (48) hours prior to the scheduled meeting date. Special accommodations will be made for persons with physical disabilities at public hearings if the request is made at least forty-eight (48) hours prior to the scheduled meeting date. Meetings will always be held at an accessible site.

ACCESS TO RECORDS

As required by law, the City of Fairfield will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. The City will also provide reasonable public access to records about any uses of these funds during the previous five years. Also, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds (such as City Council meetings, Planning Commission meetings, and other City committee and commission meetings, etc.).

CDBG ADVISORY COMMITTEE

The purpose of the Community Development Block Grant (CDBG) Advisory Committee shall be:

- To provide citizen participation in an advisory capacity in the assessment, planning, development, implementation and amendment of programs under the CDBG Program of the Housing and Community Development Act of 1974 as amended.
- To solicit Citizen and City Staff input regarding proposals and recommendations for the CDBG program and use of funds, and make recommendations to City Staff and City Council for use of Public Service and Non-Public Service funds.

CDBG ADVISORY COMMITTEE COMPOSITION

The CDBG Advisory Committee will consist of seven (7) members and two (2) alternate members. A member is defined as a person who is a full-time resident and registered voter of Fairfield. To the greatest extent possible, the CDBG Advisory Committee will reflect the ethnic and economic composition of Fairfield.

Two-Year Term: The Planning Commission and Youth Services Commission will each appoint one (1) CDBG Advisory Committee Member for a two-year term.

Four-Year Term: Five (5) Public Interest Members will have four-year terms, selected from applications submitted to the City Clerk, selected by two (2) City Council Members and appointed by the Mayor.

One-Year Term: Two alternate Public Interest Members.

All Committee Members shall serve at the pleasure of the Mayor for no more than two (2) terms plus any unexpired term to which they are appointed but not for more than ten (10) years in total.

A quorum is constituted by four (4) of the seven (7) CDBG Advisory Committee Members being present. If it is determined that a scheduled meeting will not have a quorum, staff has the authority to adjourn the meeting and reschedule it to the soonest available date.

CHAIRPERSON AND VICE CHAIRPERSON

The CDBG Advisory Committee Members will elect a Chairperson and Vice Chairperson at the first meeting of the CDBG funding cycle. The Chairperson and Vice Chairperson will be elected for a one-year term. A CDBG Advisory Committee Member cannot be elected Chairperson more than two (2) consecutive terms.

CONSOLIDATED PLAN

The Consolidated Plan (ConPlan) outlines the City's process for community inclusion in the development of the

multi-year Consolidated Plan. This plan defines the City's local objectives for the CDBG program. It includes an assessment of Fairfield's housing, homeless, and community development requirements; provides a housing market analysis; and creates a viable strategy to address the needs identified. This plan reflects HUD's emphasis on outcomes as opposed to outputs when addressing community needs.

The City will make every effort to involve the community in determining appropriate CDBG activities. Approved activities must provide services that principally benefit low- and moderate-income persons or are located in a low- and moderate-income census tract and serves the surrounding community. In determining appropriate CDBG activities, the City will also make every effort to involve any disabled residents in the community and the organizations that offer services to the disabled.

The following activities must be conducted before the City approves the Consolidated Plan:

- A Public Notice for each Public Hearing
- At least two Public Hearings per year to obtain residents' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year
- A 30-day Public Comment Period for each Public Hearing

Before the Consolidated Plan is adopted, the amount of assistance the City is expected to receive, including grant funds and program income, and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate- income, residents, public agencies and other interested parties will be notified. All comments received in writing or verbally will be considered when preparing the final Consolidated Plan. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN

A Substantial Amendment to the Consolidated Plan is defined as a change in any CDBG funding allocation of more than 20 percent of the total annual allocation of CDBG funds. This includes any change in funding from one CDBG eligible activity to another. To make a Substantial Amendment to the Consolidated Plan, the following activities must be conducted:

- A Public Notice
- At least one Public Hearing
- A 30-day Public Comment Period

All comments received in writing or verbally will be considered before adopting a substantial amendment to the Consolidated Plan. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

Reprogramming Funds up to \$25,000

The City Manager is authorized, or can designate a CDBG staff person, to reprogram up to \$25,000 of program funds to an approved CDBG project. The request for funds may be directly related to the original project activity.

To make a reprogram funds up to \$25,000, the following activities must be conducted:

- Request in writing for additional funding to the CDBG Administrator
- Provide documentation of need with request
- Conduct NEPA review if substantial changes to the scope of the project
- Provide required 30-day Public Comment Period
- Additional funding is available only after the end of the 30-day Public Comment Period

Reprogramming Funds over \$25,000

The request to reprogram more than \$25,000 in funds must be submitted in writing to the CDBG Administrator.

Public Service Funds

The City Manager shall make any reprogramming recommendations to the CDBG Advisory Committee. The CDBG Advisory Committee must approve requests to reprogram Public Service activity funds over \$25,000, up to the Public Services cap. The Advisory Committee cannot fund any project that did not apply during the last application process.

Non-Public Service Funds

Reprogramming Non-Public Service funds over \$25,000 is subject to the City Manager's approval. The City Manager can approve reprogramming Non-Public Service funds to any CDBG eligible Non-Public Service project.

To Reprogram Activities, the following activities must be conducted:

- Conduct NEPA review
- Documentation must be provided to support the need for funding
- If the CDBG Advisory Committee approves, a public meeting must be held to announce and discuss the increase in funding
- A 30-day Public Comment Period is required
- Additional funding is available only after the end of the 30-day Public Comment Period

DISPLACEMENT POLICY

The City does not anticipate any displacement of individuals under the Consolidated Plan. In the event temporary displacement should occur, such persons will be provided with relocation assistance in accordance with the City's General Relocation Plan, which complies with HUD regulations, 24 CFR Part 42. A copy of this plan is available for review at the City's Housing Authority.

ANNUAL ACTION PLAN

The Annual Action Plan (AAP), which is submitted to HUD annually, details the expenditure of the annual CDBG grant and ensures that the funds are directed towards activities addressed in the Consolidated Plan. HUD requires the City to maintain a significant correlation between the goals identified in the Consolidated Plan with the use of CDBG funds. The CDBG Advisory Committee evaluates and recommends activities to the City Council. However, the City Council has the right to approve activities outside the recommendations of the CDBG Advisory Committee.

The AAP is due to HUD 45 days before the start of the Fiscal Year (due May 15, effective July 1). The following activities must be conducted before the City approves the Annual Action Plan:

- A Public Notice
- At least one Public Hearing
- A 30-day Public Comment Period

All comments received in writing or verbally will be considered when preparing the final AAP. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

The Annual Action Plan process begins with a Notice of Funding Availability (NOFA) for CDBG funds. The NOFA is posted on the City website, distributed to the CDBG Interest List, published in the non-legal section of a newspaper of general circulation and published as a legal ad in the newspaper. The NOFA announces the annual public

“Kickoff” meeting for the CDBG funds. This meeting is designed to encourage very low- and low-income persons, members of minority groups, members of non-English speaking groups, and other residents to express their views and ideas of what they perceive as community development and housing needs in all areas of the City. The widely publicized public meeting is held to advise residents and nonprofit organizations of program requirements and processes to be followed in developing and approving applications. Information about the amount of program funds to be available for housing and community development activities, and for planning and administrative activities is provided, if that information is available at that time. In addition, the range of activities that may be undertaken with these funds and the kinds of projects and programs previously funded are explained. The application, evaluation and approval process are also explained as well as the process timeline to facilitate citizen participation.

PUBLIC SERVICE ACTIVITIES

Funding for public service activities are limited to 15% of the annual CDBG entitlement grant and 15% of last year’s program income. Public service activities are typically implemented by local non-profit organizations and provide social/supportive services to low- and moderate-income persons.

City Council determines what project types will receive Public Service funds and what percentage are allocated as part of the adoption of the CDBG Annual Action Plan, Substantial Amendment to the Annual Action Plan, and 5-Year Consolidated Plan. These meetings are public meetings and interested citizens are encouraged to attend.

- Public Service funds are allocated annually for each fiscal year of the Consolidated Plan. If HUD should reduce or increase the total federal funding of the CDBG program, the percent of the change will be distributed among all public service grantees receiving funds as directed by the CDBG Advisory Committee.
- The City shall allocate Public Service funds for the FY 2017-22 Consolidated Plan in the order listed below subject to receipt of CDBG grant funds:
 - Drug or Violence Prevention (15%)
 - Homeless Services (40%)
 - Senior Services (15%)
 - Youth Services (30%)

The CDBG Advisory Committee will consider allocations based on the community outreach outcomes for each Consolidated Plan and may vary per each Consolidated Plan.

NON-PUBLIC SERVICE ACTIVITIES

Activities funded in this category account for the majority of the total CDBG entitlement grant. The types of projects generally funded include economic development, housing rehabilitation, community facilities, and public infrastructure. Due to the nature of the work, Non-Public Service activities are most often administered or implemented by City departments. However, applications are available to and accepted from outside organizations as well. The City will allocate funds in the order listed below subject to receipt of CDBG grant funds:

- CDBG Grant Administration (20%)
- Neighborhood Stabilization Activities (65%)

In 2017 the City adopted a CDBG Neighborhood Revitalization Initiative that outlines the process to identify, prioritize and assign City-initiated CDBG Non-Public Service projects. The following key steps outline the process of how City-initiated CDBG Non-Public Service projects are submitted through the CDBG Application Process:

- The Quality of Life Task Force acts as the primary generator and collector of Non-Public Service projects and provides annual direction on individual projects and priorities by:

- Hosts community and neighborhood meetings at least quarterly to solicit community input on current needs
- Acts as the City's Advisory Body for the Neighborhood Revitalization Initiative
- Generates and reviews potential funding opportunities for projects
- Seeks additional funding and partnerships that leverage CDBG funds in order to meet community needs as efficiently and effectively as possible
- Identifies community and funding needs (both CDBG and outside funding) each year of the Consolidated Plan in order to prioritize and establish potential projects for the Annual Action Plan
- Submits a list of proposed projects through the CDBG Non-Public Service Application Process

CDBG APPLICATION PROCESS

The City of Fairfield utilizes two types of CDBG applications to solicit project proposals:

1. Public Service Applications
2. Non-Public Service Applications

For both Public Service and Non-Public Service funding, the CDBG Staff uses the following application activities:

- **Outreach:** The CDBG Administrator utilizes various methods of community outreach to notify the public of the availability of CDBG applications through a Notice of Funding Availability (NOFA) process, and will follow guidelines outlined in the CDBG Community Outreach Plan (see page 8).
- **Orientation:** When CDBG applications are available, staff will offer at least one CDBG Applicant Orientation, available to applicants that need assistance with the application process. Orientations are held at various times to accommodate the various schedules of the applicants.
- **Technical Assistance:** The CDBG Administrator is available during the application period to offer assistance in the process as requested. CDBG Administrator will advise applicants on all technical questions, such as determining the eligibility of a request.

Eligibility Screening

Once applications are received, they are reviewed by CDBG staff to determine eligibility of all applications. Eligibility Criteria include the ability to meet the following: Consolidated Plan Priority, Goal, National Objective, Eligible Activity Citation, and Preliminary NEPA Determination. Data is collected on whether an agency is a CBDO, new or existing subrecipient, the type of activity, whether services are delivered in the city, by phone or in another manner, and whether the agency has a facility in the city.

Application Review

There will be a specific due date to return both Public Service and Non-Public Service CDBG applications, as provided in the Notice of Funding Availability (NOFA) notification. Further criteria:

- Applications will be date and time-stamped upon arrival
- Applications submitted after the due date will not be considered for funding
- Public Service and Non-Public Service applications will be accepted, reviewed, ranked and funded on an annual basis. The CDBG Advisory Committee will meet to review the applications. The meeting dates will be published and are considered Public Meetings. The public is invited to attend.

Public Presentations

After the CDBG Advisory Committee reviews the applications, the Public Service and Non-Public Service applicants are invited to present their project to the CDBG Advisory Committee. After the presentation, the CDBG Advisory Committee may comment and ask questions of the applicant to ensure they have the necessary information to judge the merits of the project. This is a Public Meeting, and the public is invited to attend.

Scoring and Ranking

The CDBG Advisory Committee uses a score sheet to evaluate the Public Service and Non-Public Service applications. The score sheet is available to applicants and CDBG Advisory Committee Members. The CDBG Advisory Committee members score each activity individually and submit their score sheets to CDBG staff, who will then tally the composite score and determine the applicant's ranking.

Allocating of CDBG Funds

The funding allocation meeting is the final CDBG Advisory Committee meeting in the CDBG application cycle. The CDBG Advisory Committee makes the final recommendation as to who will receive Public Service and Non-Public funding, and how much will be allocated based on the composite score ranking. This meeting is a public meeting and the applicants and interested citizens are encouraged to attend.

COMMUNITY REVIEW AND COMMENT OF THE ANNUAL ACTION PLAN

When recommendations are determined by the CDBG Advisory Committee for Public Service and Non-Public Service projects, staff will prepare the CDBG Annual Action Plan.

- As required by HUD, staff will prepare an Annual Action Plan for each year the City receives CDBG funding
- The Annual Action Plan will be available for review during a 30-day Public Comment Period

APPROVAL OF THE ANNUAL ACTION PLAN

After the 30-day Public Comment Period, the Annual Action Plan will go before the City Council for a Public Hearing and City Council approval. The City Council can accept the recommendations as presented or revise and/or reject some or all of the recommendations. The City Council has the right to approve activities outside the recommendations of the CDBG Advisory Committee. The final Annual Action Plan is submitted to HUD for approval.

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

The Consolidated Annual Performance and Evaluation Report (CAPER) is a detailed report of the CDBG activities during the prior fiscal year. This report includes information on the activities conducted, the populations served, and an analysis of the expected outcomes and the results.

The CAPER is due to HUD 90 days after the end of the Fiscal Year (due September 30). The following activities must be conducted before the CAPER is submitted to HUD:

- A Public Notice
- At least one Public Hearing
- A 15-day Public Comment Period

All comments received in writing or verbally will be considered when preparing the final CAPER. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

ASSESSMENT OF FAIR HOUSING

From its inception, the Fair Housing Act (and subsequent laws reaffirming its principles) outlawed discrimination and set out steps that needed to be taken proactively to overcome the legacy of segregation through the obligation of Affirmatively Furthering Fair Housing (AFFH). HUD issued this proposed rule, which provides tools to help guide communities in fulfilling the original promise of the Fair Housing Act. The process proposed by this rule

assists the program participant to assess fair housing determinants, prioritize fair housing issues for response, and take meaningful actions to affirmatively further fair housing.

The following activities must be conducted before the Assessment of Fair Housing is submitted to HUD:

- A Public Notice
- At least one Public Hearing during the development of the AFH
- A 30-day Public Comment Period for the development of the AFH
- A 30-day Public Comment Period to receive comments on any revisions to the AFH and implement revisions before the AFH is submitted to HUD for review

All comments received in writing or verbally will be considered when preparing the final AFH. A summary of these comments or views and a summary of the comments or views not accepted and the reasons therefore, will be attached to the document.

GRIEVANCE PROCEDURES

The CDBG Advisory Committee is open to review and improvement of the CDBG application and funding process. While it is important to protect the integrity of the existing procedures, it is equally important to include a fair grievance process for all parties to address valid complaints and grievances. Grounds for grievance include, but are not limited to:

- Improper or biased actions by the CDBG Advisory Committee Members or CDBG Administrator and/or CDBG staff
- The CDBG Advisory Committee denied funding without proper justification

FILING A GRIEVANCE

Note: All grievances must be received in writing within ten days of the alleged offense. To file a grievance, the following steps must be conducted in the order listed:

- Step 1. Request in writing a meeting with CDBG Administrator to address the problem. CDBG Administrator will review the concerns and reply in writing within 10 business days of the meeting.
- Step 2. Submit a written complaint to CDBG Administrator regarding the problem. CDBG Administrator will review the concerns and reply in writing within 10 days of the postmark.
- Step 3. Request to address the City Council at the next scheduled City Council meeting.
 - CDBG Administrator will add the request to the meeting agenda.
 - City Council will hear and review the concerns.
 - City Council will make a motion and vote their decision.
 - CDBG Administrator will provide meeting minutes within 14 days of the meeting date.

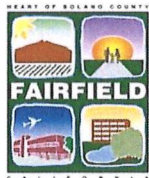
GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT AND SECTION 504

The City of Fairfield has adopted a Complaint and Grievance Procedure for anyone wishing to file a complaint alleging discrimination on the basis of a disability in the provision of services, activities, programs, or benefits by the City of Fairfield. This Grievance Procedure, including procedures to file and how to access reasonable accommodations, is included as **Attachment A**. The Complaint and Grievance Procedure attached may be revised at any time to meet CDBG Federal Compliance to best serve residents. Any revisions are approved by the U.S. Department of Housing and Urban Development (HUD) prior to implementation.

FORFEITURE OF CDBG AWARD

Within three (3) months of the City Council Resolution approving the CDBG awards, the recipient must return the CDBG Funding Agreement or Memorandum of Understanding (MOU) fully completed and signed to the CDBG Administrator. If there are extenuating circumstances, a recipient may request an extension in writing one month before the deadline date for consideration and approval by the CDBG Administrator.

If the completed contract (including all current insurance documents, revised budget, and other required supplemental materials) is not received in the allotted time (three months or the approved extended deadline), the grant allocation will be forfeited.

ATTACHMENT A

Grievance Procedure under the
Americans with Disabilities Act and
Section 504



The City of Fairfield has adopted a Complaint and Grievance Procedure to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973, for prompt and equitable resolution. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Fairfield. Section 504 states, in part, that no qualified individual with a disability shall, by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development. Issues that are grievable include, but are not limited to, a denial of a Reasonable Accommodation and/or Reasonable Modification, the inadequacy of an accommodation/modification, the inaccessibility of a program or activity due to disability, or discrimination or harassment based on disability. To file a Grievance and/or Complaint based on ADA and/or Section 504, please see process below.

ADA COMPLAINTS

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation.

Within 15 calendar days of the City's receipt of the grievance, you will receive a confirmation that it has been received and is being investigated. If you do not receive a confirmation within 15 business days, please contact the ADA Coordinator. Absent extenuating circumstances, all grievances will be investigated, and a response issued, within 90 days of receipt of grievance. If a delay is expected, the ADA Coordinator will notify you in writing of the reason(s) for the delay, and the date by which you will receive a response.

If you are not satisfied with the results of the investigation, you may submit a verbal or written appeal within 20 days of your receipt of the findings. Your appeal should detail the reasons you believe the findings to be in error. You will receive a response within 20 days of the day you submit your appeal.

Your appeal should be directed to the City Manager or his/her designee. A written response to the appeal will be issued within 30 days. All written complaints and responses will be retained by the City of Fairfield for at least three years.

SECTION 504 GRIEVANCE PROCEDURES

All such grievances should be addressed to the attention of the Section 504 Coordinator: City of Fairfield Quality of Life Division, 1000 Webster Street, Fairfield, CA 94533, (707) 428-7749 or TDD (707) 399-5623.

PROCEDURES FOR FILING A GRIEVANCE

A grievance shall be made in writing to the Section 504 Coordinator or his/her designee unless the individual's disability prevents him or her from filing a written grievance, in which case alternative means of filing a grievance shall be allowed as a Reasonable Accommodation (e.g., sign language interpreter, personal interview, tape recording, email, etc.). The grievance form may be obtained at the office of the Section 504 Coordinator or his/her designee which is located at:

Fairfield ADA Coordinator/Section 504 City of Fairfield CDBG Program 1000 Webster Street, Quality of Life Division, 4th Floor Fairfield, CA 94533 (707) 428-7400 or TDD (707) 399-5623 City Website: <https://www.fairfield.ca.gov/civicax/filebank/blobdload.aspx?blobid=13473>

Grievance forms shall be submitted to the Section 504 Coordinator or his/her designee within 10 business days of the date the person filing the grievance became aware of the alleged discriminatory action.

PROCEDURES FOR GRIEVANCE RESOLUTION

Within 20 business days of receiving the grievance, the Section 504 Coordinator or his/her designee shall contact the claimant to discuss the grievance and possible resolutions. If the Section 504 Coordinator/designee and the claimant cannot agree upon a satisfactory resolution, the formal hearing process will begin.

A formal hearing shall be scheduled by a Hearing Officer. The location and time of the hearing shall be jointly agreed upon by all parties involved. A written notification of the date, time, place and procedures governing the hearing shall be sent to the claimant. Every effort shall be made to hold the hearing at a location fully accessible to persons with physical impairments.

If the claimant seeking relief under this process needs a Reasonable Accommodation to fully participate in the hearing, i.e. sign language interpreter, reader, etc., the Quality of Life Division/CDBG Program must be notified within 14 business days of the scheduled hearing date and such services shall be provided at no cost by the recipient.

All hearings shall be conducted by an impartial Hearing Officer. The designated Hearing Officer shall be a person other than the person who made or approved the Quality of Life/CDBG Program action under review, or a subordinate of such person. The claimant or his or her representative shall have the opportunity to examine before the start of the hearing all relevant materials. The claimant has the right to present any and all pertinent documentation or evidence and cross-examine any witnesses. The claimant shall have the right to secure aid in representation from attorneys, health professionals, or any other person beneficial to the presentation of the case.

The hearing shall be held privately unless the claimant requests a public hearing. The Hearing Officer's decision shall be based upon the merits of the evidence presented by the claimant and the Quality of Life Division/CDBG Program at the hearing.

Within 14 calendar days of the date of the hearing, the Hearing Officer shall mail a written notification of the decision to the claimant. If requested by the claimant as a Reasonable Accommodation, the decision shall be provided in an accessible format (e.g., large print, audio tape, Braille, etc.). The determination shall include the Hearing Officer's findings, conclusions and recommendations for any proposed resolution of the matter.

OTHER REMEDIES

The right of an individual with a disability to a prompt and equitable resolution of the grievance shall not be delayed by the individual's pursuit of other remedies such as the filing of a disability complaint with a responsible federal or state agency. Use of this grievance procedure is not a prerequisite to an individual's pursuit of other remedies. The individual with a disability shall be notified of his/her right to file with:

- FHEO Intake Specialist 1-800-669-9777 or online in English or Spanish by clicking HERE:https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process
US Dept of Housing & Urban Development Office of Fair Housing & Equal Opportunity
One Sansome Street, Ste 1200
San Francisco, CA 94104
Phone: (800) 347-3739 or (415) 489-6524; TTY: (415) 489-6564
- CA Department of Fair Employment & Housing
2218 Kausen Drive, Ste 100
Elk Grove, CA 95758
Phone: (800) 884-1684; TTY: (800) 700-2320
- Fair Housing of Northern California, 415-457-5025

REASONABLE ACCOMMODATIONS

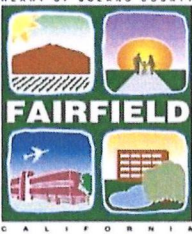
The Section 504 Coordinator will make appropriate arrangements to ensure that individuals with disabilities are provided Reasonable Accommodations if needed to participate in the grievance process. Such arrangements may include, but are not limited to, providing interpreters for the hearing impaired, providing taped cassettes of materials for the visually impaired, or assuring a barrier-free location for the mobility impaired.

Retention of Records

The Section 504 Coordinator shall maintain files and records of all grievances filed under this grievance procedure.

Confidentiality

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint of unlawful discrimination.

File Grievance With: Office of City Clerk City of Fairfield 1000 Webster Street, 4th Floor Fairfield, CA 94533 (707) 428-7394	 ADA GRIEVANCE and SECTION 504 FORM	 Received Stamped City Clerk
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If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered. For questions concerning this form or the information requested, please contact Chris Carmona, Risk Manager/ADA Coordinator for Grievances at the following:

(707) 399-5623 TTD or ccarmona@fairfield.ca.gov

1. Name and contact information of the Complainant:

Name of Complainant:	Date of Birth:
Address:	Home Phone:
	Cell Phone:
Email:	

2. Representative of Complainant:

Name:	Organization:
Address:	Telephone:
	Relationship:
Email:	

3. The date, place and other circumstances which gave rise to the complaint asserted.

Date of Occurrence:	Time of Occurrence:
Location:	
Circumstances giving rise to the complaint:	

4. If known, the name of the public employee(s) who have information regarding the complaint.

5. Names and addresses of all witnesses, hospitals, doctors, or other individuals having knowledge relevant to the complaint:

6. If the complaint is for a physical location, please attach photographs or draw a diagram:



Signature:

Date:

Please Print Name:

ATTACHMENT B**CDBG CITIZEN PARTICIPATION PLAN ADDENDUM**

Under the CARES Act, CDBG grantees may amend their Citizen Participation Plan in order to establish and implement expedited procedures, with a comment period of no less than 5-days. The following language will be added to the current Fairfield CDBG Citizen Participation Plan:

In the event of local, state, and national natural disasters, existing and new funding may be allocated or re-allocated in an expedited timeframe. The City may be required to streamline the allocation process and reduce delays in accessing grant funds pursuant to HUD notices, waivers, executive orders, award letters or other HUD communication. To comply with citizen participation requirements, the process will be revised per HUD notices, waivers, award letters or other HUD communication to the Consolidated Plan and/or substantially amended Action Plan(s). Therefore, public meeting and noticing requirements contained herein may be temporarily modified by authority of special HUD directives or executive orders issued in response to emergency circumstances. These changes would take effect without a formal amendment to the Citizen Participation Plan.